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| APPLICATION NO.                                                                    | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|------------------------------------------------------------------------------------|-------------|----------------------|---------------------------------|-----------------------------|
| 10/656,568                                                                         | 09/05/2003  | Stephen L. Spear     | CS23169RA                       | 7858                        |
| 20280                                                                              | 7590        | 10/16/2008           |                                 |                             |
| MOTOROLA INC<br>600 NORTH US HIGHWAY 45<br>W4 - 39Q<br>LIBERTYVILLE, IL 60048-5343 |             |                      | EXAMINER<br>FOUD, HICHAM B      |                             |
|                                                                                    |             |                      | ART UNIT<br>2419                | PAPER NUMBER                |
|                                                                                    |             |                      | NOTIFICATION DATE<br>10/16/2008 | DELIVERY MODE<br>ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DOCKETING.LIBERTYVILLE@MOTOROLA.COM  
ADB035@Motorola.com

## Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10/656,568

Examiner

HICHAM B. FOUAD

Applicant(s)

SPEAR ET AL.

Art Unit

2419

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 02 July 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

### TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

|                                            |                                                              |
|--------------------------------------------|--------------------------------------------------------------|
| /Hicham B Foud/<br>Examiner, Art Unit 2419 | /Wing F. Chan/<br>Supervisory Patent Examiner, Art Unit 2619 |
|--------------------------------------------|--------------------------------------------------------------|

U.S. Patent and Trademark Office  
PTOL-324 (01-06)

**Notice of Non-Compliant Amendment (37 CFR 1.121)**

Part of Paper No. 20081010

Continuation of 4(e) Other: The previous Non-compliant amendments are not entered. Therefore, the amended claims should reflect changes to the first set of claims filed on 10/26/07 and not to the latter non-compliant amendment filed on 03/25/2008.

Please refer to the entire rule 37 C.F.R. 1.121 for further details on the proper manner of making amendments.

Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction. The correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121. Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action. Failure to timely response will result in Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action or Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment. .